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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/027,585 02/23/98 DAHL

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EXAMINER

WEINHARDT, R

ART UNIT

PAPER NUMBER

2764

DATE MAILED:

05/10/00

DO

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/027,585

Applicant(s)

Dahl

Examiner

Robert Weinhardt

Group Art Unit

2764



☒ Responsive to communication(s) filed on Feb 23, 2000

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Feb 23, 2000 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 2/23/00 have been approved.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

While applicant has amended the title, the title is still too generic. In order to make the title a useful search tool the title should briefly indicate some feature that distinguishes this database security system from other database security systems.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnal et al. as applied in the Office action mailed 2/23/00.

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Applicant argues that McDonnal is directed to a file management system while the instant invention relates to a database management system and that these are "quite distinct". As an example of the distinctness, applicant asserts that database management emphasizes data access while file management emphasizes data storage. This is not persuasive in that both database and file management are concerned with both storage and retrieval. Files are of no use unless retrieved and used and file management provides efficient retrieval. Similarly, database management cannot provide data access until the data has been stored. Further, claim 1 for example does not require that every database be populated with data element values of a plurality of different types such that it appears possible to have a "file" or record in a database that is all one type. Thus little distinction is found between the files of McDonnal and the breadth of the claimed values, records and database.

Moreover, attempting to create distinctions between database and file operations ignores the specific teachings in McDonnal directed to applying the routines to units of data of finer granularity than files, such as in a database where data is accessed. See col. 33 line 66 to col. 34 line 8 of McDonnal.

Applicant further argues that McDonnal does not show or teach a reencryption rule file allowing for data element values to be encrypted with different protection attributes according to data element type. However, this was treated in the prior Office action. As mentioned previously, McDonnal fails to specifically teach that the data element

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values are linked to a corresponding data element type. McDonnal does teach that each secured directory has it's own unique rule file (col. 8 lines 45-49). As is well known in the art, and Official Notice is taken thereof, different types of files are typically stored in different directories. For example, WordPerfect documents are stored in one directory while Excel or PowerPoint documents are stored in another. Further, directory structures are often used to categorize files by purpose, topic or file characteristic. Given the broad definition of "data element type" in the specification, the above segregation of documents or categorization of files is seen to provide different directories containing documents of different data element types. Thus, it would have been obvious to those of ordinary skill in the art to modify the teachings of McDonnal to include such well known directory arrangements for the obvious advantage of conveniently locating stored data. As McDonnal does teach that each secured directory has it's own unique rule file which specifies the encryption algorithm used and that a good security system uses a gamut of encryption algorithms, the result of the obvious modification is data element values linked to a corresponding type wherein protection attributes are effectively assigned to the data element type via the rule file 169 for the directory.

Applicant raises the issue of the granularity used in McDonnal, but as noted above, McDonnal specifically suggests the use of a finer granularity in database applications aside from the fact that the claims are broad enough that record and file

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can be effectively equivalent. Note that "database" is broadly defined according to the Microsoft Press Computer Dictionary as "loosely, any aggregation of data" and file is defined as "a complete named collection of information".

With respect to claim 9, it parallels the limitations of claim 1 considering the breadth of the definition of "database" and the teachings of McDonnal regarding finer granularity. With respect to the data content, it is not seen where the meaning of the data provides a patentable distinction as no different steps or means result from the particular data content. Regarding the recitation that the databases are "physically separate", as typical storage medium do not superimpose data, even databases stored on the same medium are seen to be "physically separate" to ensure proper retrieval. Moreover, note McDonnal suggestion of a network and separation of files at col. 34 lines 20+. McDonnal also teaches that some files are not encrypted at least at col. 16 lines 5+. Finally, the use of known encryption methods to encrypt the data and protection of the catalog by encryption would have been obvious to those of ordinary skill in the art for ease of implementation and increased security. Note McDonnal's suggestion of various encryption techniques at col. 8 lines 17+.

5. Claim 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnal et al. as applied to claims 1-2 above, and further in view of applicant's admitted prior art.

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With respect to this grounds of rejection applicant relies on the arguments against McDonnal which have been treated above.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Weinhardt whose telephone number is (703) 305-9780. The examiner can normally be reached on Monday-Friday from 7:30 AM - 4:00 PM. The examiner can also be reached at the e-mail address:
robert.weinhardt@uspto.gov

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768. Facsimile transmissions to this Group may be directed to (703) 308-1396.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

May 7, 2000


ROBERT A. WEINHARDT
PRIMARY EXAMINER